

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. CV 23-147-DMG (PDx)

Date January 13, 2023

Title *Joycette Goodwin v. Walgreens, Co.*

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Present: The Honorable DOLLY M. GEE, UNITED STATES DISTRICT JUDGE

KANE TIEN

Deputy Clerk

NOT REPORTED

Court Reporter

Attorneys Present for Plaintiff(s)

None Present

Attorneys Present for Defendant(s)

None Present

**Proceedings: IN CHAMBERS—ORDER TO SHOW CAUSE WHY THIS ACTION
SHOULD NOT BE DISMISSED FOR LACK OF SUBJECT MATTER
JURISDICTION**

On January 10, 2023, Plaintiff Joycette Goodwin filed this putative class action against Defendant Walgreens, Co. and asserted that the Court has subject matter jurisdiction under the Class Action Fairness Act (“CAFA”). *See Compl. ¶ 7* (citing 28 U.S.C. § 1332(d)(2)) [Doc. # 1]. Plaintiff asserts causes of action under California’s Unfair Competition Law (“UCL”), Cal. Bus. & Prof. Code § 17200 *et seq.*; California’s False Advertising Law, Cal. Bus. & Prof. Code § 17500 *et seq.*; California’s Consumer Legal Remedies Act, Cal. Civ. Code § 1750 *et seq.*; California Commercial Code §§ 2313(1), 2314; negligent misrepresentation; intentional misrepresentation/fraud; and quasi-contract/unjust enrichment.

Under CAFA, the Court has original jurisdiction over a class action “if the class has more than 100 members, the parties are minimally diverse, and the amount in controversy exceeds \$5 million.” *Dart Cherokee Basin Operating Co., LLC v. Owens*, 574 U.S. 81, 84–85 (2014). Plaintiff, as the party invoking the court’s jurisdiction, has the burden of showing by a preponderance of the evidence that the putative class satisfies the CAFA requirements. *Lewis v. Verizon Communications, Inc.*, 627 F.3d 395, 399, 400 (9th Cir. 2010). The Complaint includes only a conclusory allegation that the amount in controversy exceeds \$5,000,000, but does not plead any facts to support that assertion. Compl. ¶ 7. Plaintiff therefore has not met her burden to satisfy CAFA’s amount in controversy requirement. 28 U.S.C. §1332(d)(2).

Accordingly, the Court hereby **ORDERS Plaintiffs to show cause why this action should not be dismissed for lack of subject matter jurisdiction.** Plaintiffs must file a written response to this Order no later than January 20, 2023. Defendant shall file its response to Plaintiff’s filing, if any, no later than January 27, 2023. Neither response may exceed seven pages.

IT IS SO ORDERED.